	Application No.	Applicant(s)
-		
Notice of Allowability	09/440,829 · Examiner	CHENCHIK ET AL. Art Unit
	BJ Forman	1634
The MAILING DATE of this communication apperature All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this apportant or other appropriate communication GHTS. This application is subject to	plication. If not included n will be mailed in due course. THIS
1. A This communication is responsive to <u>amendments of 13 Ar</u>	<u>oril 2005</u> .	·
2. The allowed claim(s) is/are 47-54.		
3. The drawings filed on 15 November 1999 are accepted by the Examiner.		
4. ☐ Acknowledgment is made of a claim for foreign priority una) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received: ☐ Applicant has THREE MONTHS FROM THE "MAILING DATE" on oted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must (a) ☐ including changes required by the Notice of Draftspers 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ☐ (b) ☐ including changes required by the attached Examiner's Paper No./Mail Date ☐ Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the content of the content	been received. been received in Application No currents have been received in this of this communication to file a reply ENT of this application. itted. Note the attached EXAMINER es reason(s) why the oath or declara t be submitted. on's Patent Drawing Review (PTO- s Amendment / Comment or in the C	national stage application from the complying with the requirements S AMENDMENT or NOTICE OF tion is deficient. 948) attached Office action of
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT R	sit of BIOLOGICAL MATERIAL n	nust be submitted. Note the
Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/06 Paper No./Mail Date	6. ☐ Interview Summary Paper No./Mail Dat 8), 7. ☐ Examiner's Amendn 8. ☒ Examiner's Stateme 9. ☐ Other	e nent/Comment ent of Reasons for Allowance
		PORMAN, PH.D. MARY EXAMINER

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Status of the Claims

This action is in response to papers filed 13 April 2005 in which claim 47 was amended and claims 1-46 were canceled. The amendments have been thoroughly reviewed and entered.

The previous objections and rejections in the Office Action dated 13 January 2005 are withdrawn in view of the amendments. The amendments place the pending claims in condition for allowance.

Claims 47-54 are in condition for allowance.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The claims are drawn to an array comprising probe spots wherein the probes in each spot are from 60 to 100 nucleotides and have less than 50% homology with probes in other spots. The prior art routinely teaches two types of probes: short probes with up to 50 nucleotides and long probes with hundreds or thousands of nucleotides. The claimed range is unique with the exception of Church (U.S. Patent No. 6,548,021) who teaches probes of 16 to 60 nucleotides (e.g. col. 8, lines 33-35). Therefore, the claimed range overlaps the range taught by Church et al at 60 nucleotides. However, Church does not teach or suggest the claimed composition wherein the probes of each spot have less than 50% homology with probes in any other spot. The requirement of low homology between the probe spots distinguished the claimed invention over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 47-54 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BJ Forman whose telephone number is (571) 272-0741. The examiner can normally be reached on 6:00 TO 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones can be reached on (571) 272-0745. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

BJ Forman, Ph.D. Primary Examiner Art Unit: 1634 June 13, 2005